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Attorneys for Defendant New York Hotel &  
Motel Trades Council, AFL-CIO  
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Bruce J. Cooper (BC 2764)  
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JOSEPH BEJJANI, HENRY BOLEJSZO, ALAIN BREDA, AHMAD BULLA, VIRGIL COSTACHE, GEOFFREY HABERER, RUHEL HASSAN, RICKY GARCIA, ABDELKABIR KAHTANE, MOHAMMED KHAMFRI, KATHY KINKY, STYLIANOS LOUKISSAS, ERICH LUNZER, JAIRO MARTINEZ, EDILBERTO MORCOS, JOHN O'CONNOR, AART VAN DERLAAN, OSCAR FLORES, and ROBERTO ZEGARRA,

Plaintiffs,

-against-

MANHATTAN SHERATON CORPORATION  
d/b/a ST. REGIS HOTEL, and NEW YORK  
HOTEL and MOTEL TRADES COUNCIL, AFL-CIO,

Defendants.

**07-Cv-10729 (HB) (DCF)**

**NOTICE OF MOTION TO  
DISMISS SECOND AMENDED  
COMPLAINT**

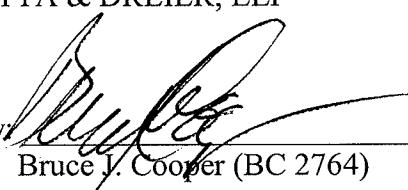
PLEASE TAKE NOTICE that, upon the annexed Affirmation of Bruce J. Cooper, dated May 12, 2008, the exhibits annexed thereto, and all prior proceedings had heretofore herein, Defendant New York Hotel and Motel Trades Council, AFL-CIO ("HTC"), will move, pursuant to Rules 12(b)(1) and (6) of the Federal Rules of Civil Procedure, before the Honorable Harold Baer, Jr., U.S.D.J., at the Daniel Patrick

Moynihan United States Courthouse, 500 Pearl Street, New York, New York, for an order dismissing the second amended complaint with prejudice, and granting such further relief as the Court may deem just and proper.

Dated: New York New York  
May 12, 2008

Of Counsel:  
Michael J. D'Angelo (MD 3030)

Respectfully submitted,  
PITTA & DREIER, LLP

By   
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